

Notice of Allowability	Application No.	Applicant(s)	
	09/897,890	ARGUST, DAVID D.	
	Examiner	Art Unit	
	Mark Fadok	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/21/05 & 3/31/05.
2. ☒ The allowed claim(s) is/are 1-5 and 21-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>10/26/2005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Request for Continued Examination

The Examiner is in receipt of response to Office Action mailed 12/21/2004, which was received 3/21/2005. Acknowledgement is made to the adding of new claims 21-30 on 3/21/2005 and a additional new claim 31 added in the amendment filed 3/31/2005, leaving claims 1-5 and 21-31 as pending in the instant application. The examiner has carefully considered applicant's amendment and arguments along with an interview dated 10/26/2005 and have found them to be persuasive. Therefore, the following reasons for allowance follows:

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Frederick Gibb on 10/26/2005.

Delete claim 31 and amend claims 1,21 and 26 as follows:

Claim 1:

In line 7, delete "places", insert--placed--

In line 9, after specified level, insert--wherein said push signal includes a revised availability date for said product in said catalog; wherein said revised availability date is different than said original availability date by said shipment delay period; wherein the timing of when said push signal is sent to said catalog is dependent only upon said quantities in said capacity buckets; and wherein said catalog comprises an online catalog connected to said capacity scheduling system via a network--

Claim 21:

In line 7, delete "places", insert--placed--

In line 10, after "product becomes empty", insert--wherein said push signal includes a revised availability date for said product in said catalog; wherein said revised availability date is different than said original availability date by said shipment delay period; wherein the timing of when said push signal is sent to said catalog is dependent only upon said quantities in said capacity buckets; and wherein said catalog comprises an online catalog connected to said capacity scheduling system via a network--

Claim 26:

In line 7, delete "places", insert--placed--

In line 11, after "product becomes empty", insert--wherein said push signal includes a revised availability date for said product in said catalog; wherein said revised availability date is different than said original availability date by said shipment delay

Art Unit: 3625

period; wherein the timing of when said push signal is sent to said catalog is dependent only upon said quantities in said capacity buckets; and wherein said catalog comprises an online catalog connected to said capacity scheduling system via a network--

Allowable Subject Matter

Claims 1-5 and 21-30 are allowed.

The following is an Examiner's statement of reasons for allowance for all independent claims 1,21 and 26.

The present invention is directed to a computer method for pushing lead-time updates to a catalog by way of dynamic scheduling system.

Each of the independent claims 1,21 and 26 identifies the uniquely distinct features as follows:

Claim 1:

sending a push signal to said catalog when capacity bucket of a product reaches a specified level,

wherein said push signal includes a revised availability date for said product in said catalog;

wherein said revised availability date is different than said original availability date by said shipment delay period;

wherein the timing of when said push signal is sent to said catalog is dependent only upon said quantities in said capacity buckets; and

wherein said catalog comprises an online catalog connected to said capacity scheduling system via a network

Claim 21:

Sending a push signal to said catalog when a capacity bucket of a product becomes full and when said capacity bucket of said product becomes empty,

wherein said push signal includes a revised availability date for said product in said catalog;

wherein said revised availability date is different than said original availability date by said shipment delay period;

wherein the timing of when said push signal is sent to said catalog is dependent only upon said quantities in said capacity buckets; and

wherein said catalog comprises an online catalog connected to said capacity scheduling system via a network

Claim 26:

Sending a push signal to said catalog only when a capacity bucket of a product comes within a predetermined percentage of full and when said capacity bucket of said product comes within a predetermined percentage of empty,

wherein said push signal includes a revised availability date for said product in said catalog;

wherein said revised availability date is different than said original availability date by said shipment delay period;

wherein the timing of when said push signal is sent to said catalog is dependent only upon said quantities in said capacity buckets; and

wherein said catalog comprises an online catalog connected to said capacity scheduling system via a network

Discussion of most relevant art:

US Patents and PG-PUB

(i) US Patent 6,757,689 to Battas et al, discloses method for integrating various enterprise functions into a single source. Battas, however fails to anticipate or render the application's above-mentioned limitation(s) obvious.

(ii) US Patent 5,231,567 to Matoba et al, discloses a method for inventory scheduling. Matoba et al, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

(iii) US Patent 2001/0049634 to Stewart, discloses a system and method for providing lead times on products ordered. Stewart, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

(iv) US Patent 2002/01383316 to Katz et al, discloses a methods for ordering parts over the Internet and providing scheduling dates. Katz et al, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

(v) US Patent 2002/0161674 to Scheer, discloses a methods for supply chain management. Scheer, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

Foreign Patent Documents

(vi) JP 02001265981A to Yamazoe et al. teaches a method for improving lead-time. Yamazoe et al, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

Non-Patent Literature

(vii) Garner et al, "More distributors set up shop on the World Wide Web", EDN, August 15, 1997, Garner discloses a method for providing quotation with lead times

Art Unit: 3625

over the internet. Garner, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

(viii) Barry, "Running on empty", discloses teaches the use of lead times in catalogs. Barry, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **(571) 272-6755**. The examiner can normally be reached Monday thru Thursday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **(571) 272-7159**.

Art Unit: 3625

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **receptionist** whose telephone number is **(571) 272-3600**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

(571) 273-8300 [Official communications; including

After Final communications labeled

"Box AF"]

(571) 273-6755 [Informal/Draft communications, labeled

"PROPOSED" or "DRAFT"]

A handwritten signature in black ink, appearing to read 'Mark Fadok', with a long horizontal flourish extending to the right.

Mark Fadok

Primary Examiner